

REMARKS

Claims 1-33 are pending in the application. Claims 1-32 are allowed. Claim 33 is rejected.

Claim 33 has been amended herein to clarify the claimed features. Applicant claims: deciding first and second weighting coefficients for the first and second despread reception signals based upon the level of the power of said first and second reception signals, where the power of the first and second reception signals is less than a set level and the power of the first reception signal is smaller than that of the second reception signal, the first weighting coefficient is smaller than the second weighting coefficient.

According to a CDMA receiver of the claimed invention, with regard to paths for which the valid/invalid path determination cannot be made, the output of a finger is weighted in accordance with the degree of valid-path likeness, a valid path is rescued and a path that has no valid-path likeness is excluded, whereby sensitivity and receiver performance are improved.

Claim Rejection

Claim 33 has been rejected under 35 U.S.C. 102(e) as being anticipated by Niida et al. (USP 6,118,806) (hereafter Niida). In the Office Action Fig. 5 of Niida is relied upon to show the features in claim 33. It appears the amplitude measuring apparatus 12 of Niida is equated to applicant's claimed weighting means.

Niida discloses a weighting value is determined in proportional to the signal amplitude and the signals weighted by the weighting values are combined. Column 2, lines 3-6 of Niida describes that the weighted value is in proportion to a signals amplitude.

In contrast applicant's claim 33 recites deciding the weighting coefficient so that the first coefficient is smaller than the second weighting coefficient in a case where the power of the first

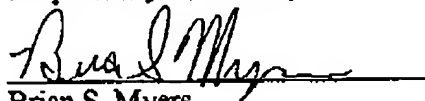
and second reception signals is less than a set value and the power of the first reception signal is smaller than that of the second reception signal.

It is respectfully submitted that Nida does not disclose at least this feature of the claimed invention of claim 33 and the rejection should be withdrawn.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Brian S. Myers
Reg. No. 46,947

CUSTOMER NUMBER 026304
Telephone (212) 940-8703
Fax (212) 940-8986/8987
Docket No.: 100807-00064 (FUSA 19.444)
BSM:tm